

Lead Defendant	NEPA Cases filed in 2004	
	Cases Filed	Injunctions in 2004 cases
FERC	2	2
NAVY	2	2
NRC	2	1
DOI	31	1
USDA	80	2
DOC	15	0
EPA	6	0
DOE	4	0
USACE	13	0
ARMY	1	0
DOT	14	3
<b>Total</b>	<b>150</b>	<b>11</b>

2004 NEPA Case Dispositions				
	pre-2004	2004		All
Judgment for defendant	42	8		<b>50</b>
TRO	2	2		<b>4</b>
Preliminary injunction	9	6		<b>15</b>
Permanent injunction	6	1		<b>7</b>
Remand	17	0		<b>17</b>
Dismissal w/ settlement	23	5		<b>28</b>
Dismissal w/o settlement	26	15		<b>41</b>
Other action				
Pending	126	125		<b>251</b>

Plaintiffs in NEPA Lawsuits	
Public Interest groups	232
Individual/Citizen assoc.	83
State government	11
Local government	21
Business groups	27
Property owners/residents	11
Indian tribes	13
Combination plaintiffs*	9

\* i.e. local government AND individuals;  
if a plaintiff type was in a combination with other plaintiff types, it was counted in the individual as well as the combination category

Basis for NEPA Dispositions				
	pre-2004	2004		ALL
Jurisdictional issues	21	2		23
Settlements/other	21	5		26
Federal action req. NEPA	6	0		6
EIS Adequacy	19	6		25
EA/FONSI Adequacy	24	2		26
SEIS	4	0		4
Categorical Exclusion	1	1		2

more detailed data available - see tables to right, highlighted this color orange
Other reasons may include:
1. Not enough data from agency to determine disposition basis
2. Overruling District Court, which had abused its discretion
TOTAL = all above categories except combo (to prevent double counting) [total bases for disposition should at least be as much as total judgments; bases may be larger than total judgments b/c may be more than one basis for a judgment]

Federal action requiring NEPA	
action not federal	4
NEPA required	2


SEIS	
need to prepare -new effects info	2
need to prepare - change in action	1
no need to prepare	1

EIS Adequacy	
adequate	15
incomplete, essential info	10
inadequate indirect effects	0
inadequate cumulative effects	2
alternatives: no action	0
alt. excluded/range	3
other	

EA/FONSI Adequacy	
adequate	21
incomplete, essential info	6
inadequate indirect effects	1
inadequate cumulative effects	1
alternatives not considered	0

